

AM1189
LB 573
KLB-04-12

AM1189
LB 573
KLB-04-12

AMENDMENTS TO LB 573

(Amendments to Standing Committee amendments, AM0091)

1 1. Strike section 4 and insert the following new
2 section:

3 "Sec. 4. Section 2-1213, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 2-1213. ~~(1)~~ (1) (a) No racing under sections 2-1201 to
6 2-1218 shall be permitted on Sunday except when approved by a
7 majority of the members of the State Racing Commission upon
8 application for approval by any racetrack. Such approval shall be
9 given after the commission has considered: ~~(a)~~ (i) Whether Sunday
10 racing at the applicant track will tend to promote and encourage
11 agriculture and horse breeding in Nebraska; ~~(b)~~ (ii) whether the
12 applicant track operates under a license granted by the commission;
13 ~~(c)~~ (iii) whether the applicant track is in compliance with all
14 applicable health, safety, fire, and police rules and regulations
15 or ordinances; ~~(d)~~ (iv) whether the denial of Sunday racing at the
16 applicant track would impair such track's economic ability to
17 continue to function under its license; and ~~(e)~~ (v) whether the
18 record of the public hearing held on the issue of Sunday racing at
19 the applicant track shows reasonable public support. Notice of
20 such public hearing shall be given at least ten days prior thereto
21 by publication in a newspaper having general circulation in the
22 county in which the applicant track is operating, and the
23 commission shall conduct a public hearing in such county. The

AM1189
LB 573
KLB-04-12

AM1189
LB 573
KLB-04-12

1 commission may adopt, promulgate, and enforce rules and regulations
2 governing the application and approval for Sunday racing in
3 addition to its powers in section 2-1203. If the commission
4 permits racing on Sunday, the voters may prohibit such racing in
5 the manner prescribed in section 2-1213.01. If approval by the
6 commission for Sunday racing at the applicant track is granted, no
7 racing shall occur on Sunday until after 1 p.m.

8 (b) No license shall be granted for racing on more than
9 one racetrack in any one county, except that the commission may, in
10 its discretion, grant a license to any county agricultural society
11 to conduct racing during its county fair notwithstanding a license
12 may have been issued for racing on another track in such county.

13 (c) Since the purpose of sections 2-1201 to 2-1218 is to
14 encourage agriculture and horse breeding in Nebraska, every
15 licensee shall hold at least one race on each racing day limited to
16 Nebraska-bred horses, including thoroughbreds or quarter horses.
17 Three percent of the first money of every purse won by a
18 Nebraska-bred horse shall be paid to the breeder of such horse.
19 Beginning September 1, 2005, through January 1, 2008, each licensee
20 who holds a license for quarter horseracing shall, for each live
21 racing day, give preference to Nebraska-bred quarter horses in at
22 least one race in lieu of the requirements of this subdivision.

23 (2) For purposes of this section, Nebraska-bred horse
24 shall mean a horse registered with the Nebraska Thoroughbred or
25 Quarter Horse Registry and meeting the following requirements: (a)
26 It shall have been foaled in Nebraska; (b) its dam shall have been
27 registered, prior to foaling, with the Nebraska Thoroughbred or

AM1189
LB 573
KLB-04-12

AM1189
LB 573
KLB-04-12

1 Quarter Horse Registry; and (c) its dam shall have been
2 continuously in Nebraska for ninety days immediately prior to
3 foaling, except that such ninety-day period may be reduced to
4 thirty days in the case of a mare in foal which is purchased at a
5 nationally recognized thoroughbred or quarter horse blood stock
6 sale, the name and pedigree of the mare being listed in the sale
7 catalog, and which is brought into this state and remains in this
8 state for thirty days immediately prior to foaling.

9 The requirement that a dam shall be continuously in
10 Nebraska for either ninety days or thirty days, as specified in
11 subdivision (2)(c) of this section, shall not apply to a dam which
12 is taken outside of Nebraska to be placed for sale at a nationally
13 recognized thoroughbred or quarter horse blood stock sale, the name
14 and pedigree of the mare being listed in the sale catalog, or for
15 the treatment of an extreme sickness or injury, if written notice
16 of such proposed sale or treatment is provided to the secretary of
17 the commission within three days of the date such horse is taken
18 out of the state.

19 The commission may designate official registrars for the
20 purpose of registration and to certify the eligibility of
21 Nebraska-bred horses. An official registrar shall perform such
22 duties in accordance with policies and procedures adopted and
23 promulgated by the commission in the current rules and regulations
24 of the commission. The commission may authorize the official
25 registrar to collect specific fees as would reasonably compensate
26 the registrar for expenses incurred in connection with registration
27 of Nebraska-bred horses. The amount of such fee or fees shall be

AM1189
LB 573
KLB-04-12

AM1189
LB 573
KLB-04-12

1 established by the commission and shall not be changed without
2 commission approval. Fees shall not exceed one hundred dollars per
3 horse.

4 Any decision or action taken by the official registrar
5 shall be subject to review by the commission or may be taken up by
6 the commission on its own initiative.".